

# STATUTORY RULES.

1949. No. .

## REGULATIONS UNDER THE AUSTRALIAN CAPITAL TERRITORY REPRESENTATION ACT 1948-1949.\*

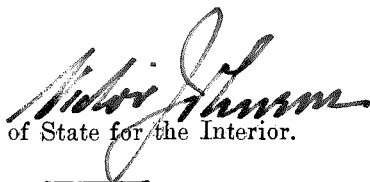
I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Australian Capital Territory Representation Act 1948-1949*.

Dated this *Twenty second*  
day of *September*, 19 .

J. NORTHCOTT

*Deputy of the* Governor-General.

By His Excellency's Command,

  
Minister of State for the Interior.

## AUSTRALIAN CAPITAL TERRITORY ELECTORAL REGULATIONS.

### PART I.—PRELIMINARY.

1. These Regulations may be cited as the Australian Capital Territory Electoral Regulations.

2. These Regulations are divided into Parts, as follows:—

- |                                                                                                  | Parts. |
|--------------------------------------------------------------------------------------------------|--------|
| Part I.—Preliminary. (Regulations 1-3.)                                                          |        |
| Part II.—Administration. (Regulations 4-6.)                                                      |        |
| Part III.—Roll of Electors. (Regulations 7-10.)                                                  |        |
| Part IV.—Qualifications and Disqualifications for Enrolment and for Voting. (Regulations 11-14.) |        |
| Part V.—Enrolment. (Regulations 15-26.)                                                          |        |
| Part VI.—Objections and Appeals. (Regulations 27-31.)                                            |        |
| Part VII.—Writ for Election and Nominations. (Regulations 32-35.)                                |        |
| Part VIII.—Voting by Post. (Regulations 36-39.)                                                  |        |
| Part IX.—The Polling. (Regulations 40-56.)                                                       |        |
| Part X.—The Scrutiny and Return of Writ. (Regulations 57-63.)                                    |        |
| Part XI.—Miscellaneous. (Regulations 64-70.)                                                     |        |

3.—(1.) In these Regulations, unless the contrary intention appears—

“election” means an election of a member of the House of Representatives for the Australian Capital Territory;

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, 1949.  
10/29.8.1949.

“Returning Officer” means the Returning Officer for the Australian Capital Territory and includes an Assistant Returning Officer;

“the Australian Capital Territory Representation Act” means the *Australian Capital Territory Representation Act 1948-1949*;

“the Chief Electoral Officer” means the Chief Electoral Officer for the Commonwealth;

“the Commonwealth Electoral Act” means the *Commonwealth Electoral Act 1918-1949*;

“the Registrar” means the Electoral Registrar for the Australian Capital Territory and includes the Returning Officer acting as Registrar;

“the Roll” means the Roll of electors for the Australian Capital Territory;

“the Territory” means the Australian Capital Territory.

(2.) In these Regulations any reference to a Form shall be read as a reference to a Form in the First Schedule to these Regulations.

#### PART II.—ADMINISTRATION.

4. There shall be a Returning Officer for the Territory who shall be charged with the duty of giving effect to the provisions of the Australian Capital Territory Representation Act, the Commonwealth Electoral Act in its application in the Territory, and these Regulations, within and for the Territory, subject to the direction of the Chief Electoral Officer. Returning Officer.

5. The Chief Electoral Officer may appoint an Assistant Returning Officer to exercise within or for any portion of the Territory, subject to the control of the Returning Officer, all the powers of the Returning Officer. Assistant Returning Officer.

6.—(1.) The Chief Electoral Officer may appoint an Electoral Registrar to keep the Roll for the Territory, who shall be subject to the direction of the Returning Officer. Electoral Registrar.

(2.) The Returning Officer shall act as Registrar for the Territory if no Registrar has been appointed and may, by virtue of his office, so act during any absence from duty of the Registrar.

#### PART III.—ROLL OF ELECTORS.

7.—(1.) There shall be a Roll of electors for the Territory, which may be in accordance with Form 1 and shall contain the particulars indicated therein. Roll of electors.

(2.) All persons who, at the date of the commencement of these Regulations, are enrolled on the roll of electors kept in pursuance of regulations made under the *Advisory Council Ordinance 1936-1945* of the Territory, shall be deemed to have secured enrolment for the purposes of these Regulations and their names shall be included in the Roll provided for by these Regulations accordingly.

8.—(1.) The Roll shall be printed whenever the Minister so directs. Rolls to be printed.

(2.) The Chief Electoral Officer shall, whenever necessary, cause a Supplemental Roll, containing additions since the Roll was last printed, to be printed for the purposes of an election.

9.—(1.) The Roll kept by the Registrar shall be open for public inspection without fee at his office at all convenient times during his ordinary office hours. Rolls to be available for inspection and sale.

(2.) Copies of the latest printed Roll, and Supplemental Roll (if any), shall be open for public inspection at the office of the Returning Officer without fee, and shall be purchasable thereat at the following prices, namely:—

	<i>s.</i>	<i>d.</i>
Principal Roll for the Territory .. .. .	2	0
Supplemental Roll for the Territory .. .. .	1	0

10. All officers in the Public Service of the Commonwealth and all occupiers of habitations shall upon application furnish to the Returning Officer or to any officer acting under his direction all such information as he requires in connexion with the preparation, maintenance or revision of the Roll. Officers and others to furnish information.

PART IV.—QUALIFICATIONS AND DISQUALIFICATIONS FOR ENROLMENT AND FOR VOTING.

11. Subject to the disqualifications set out in this Part, a person not under 21 years of age, whether male or female, married or unmarried— Persons entitled to enrolment.

- (a) who is a British subject;
- (b) who has lived in Australia for six months continuously; and
- (c) who lives in the Territory and has so lived for a continuous period of not less than one month immediately preceding the claim for enrolment,

shall be entitled to enrolment on the Roll subject to the provisions of Part V. of these Regulations.

12. A person whose name is on the Roll for the Territory and whose real place of living is, or at some time within three months immediately preceding the polling day was, in the Territory shall, subject to the Australian Capital Territory Representation Act, the Commonwealth Electoral Act in its application in the Territory and these Regulations, be entitled to vote at an election, but a person shall not be entitled to vote more than once at any election. Persons entitled to vote.

13. A person who is of unsound mind, or attainted of treason, or who has been convicted and is under sentence for any offence punishable under the law of any part of the King's dominions by imprisonment for one year or longer, shall not be entitled to have his name placed on or retained on the Roll or to vote at any election. Disqualified persons.

14. An aboriginal native of Asia, Africa or the Islands of the Pacific (except New Zealand) shall not be entitled to have his name placed on or retained on the Roll or to vote at any election unless— Other disqualified persons.

- (a) he is a native of British India; or

- (b) he is a person to whom a certificate of naturalization has been issued under a law of the Commonwealth or of a State and that certificate is still in force or is a person who obtained British nationality by virtue of the issue of any such certificate.

PART V.—ENROLMENT.

15.—(1.) Names may be added to the Roll pursuant to claims for enrolment or transfer of enrolment. Enrolment, transfer of enrolment, and alteration of enrolment.

(2.) The form of claim for enrolment or transfer of enrolment, or notification of a change of address by a person qualified for enrolment, may be in accordance with Form 2, and shall be signed by the claimant with his personal signature and attested by an elector or a person qualified to be an elector of the Territory who shall sign his name as witness in his own handwriting.

(3.) An elector may apply for the alteration or correction of the entry in the Roll of his name or particulars of enrolment in accordance with Form 2, or in such other form signed by the applicant, as the Registrar approves.

16.—(1.) Any person who is entitled to enrolment on the Roll and whose name is not on the Roll, shall forthwith fill in and sign, in accordance with the directions printed thereon, a claim in Form 2 and shall send or deliver the claim to the Registrar. Compulsory enrolment and change.

(2.) Any person who is entitled to enrolment on the Roll and whose name is not on the Roll upon the expiration of twenty-one days from the date upon which he became so entitled, or at any subsequent date while he continues to be so entitled, shall be guilty of an offence unless he proves that his non-enrolment is not in consequence of his failure to send or deliver to the Registrar a claim in Form 2 duly filled in and signed in accordance with the directions printed thereon.

(3.) Any elector who changes his place of living from one address to another address in the Territory and who, at any time after the expiration of twenty-one days after the date of making the change, has failed to notify the Registrar in Form 2 of his new address, shall be guilty of an offence.

(4.) An offence under sub-regulation (2.) or sub-regulation (3.) of this regulation shall be punishable upon conviction by a fine not exceeding Ten shillings for a first offence or Two pounds for any subsequent offence.

17.—(1.) The Registrar shall, if satisfied that a qualified person has failed to comply with the requirements of regulation 16 of these Regulations, notify him of such failure in accordance with Form 5 and inform him that he may reply by declaration in accordance with Form 6 setting out any facts relevant to the matter and that he has the option of having the matter dealt with either by the Returning Officer or by a Court of summary jurisdiction. Procedure in case of offence.

(2.) Any person to whom a notification has been sent pursuant to the last preceding sub-regulation, who desires the matter to be dealt with by the Returning Officer and who is prepared to abide by the decision of that officer may within such time as is specified in the notification notify the Registrar in accordance with Form 7.

(3.) Upon the receipt from a person who has failed to comply with the requirements of regulation 16 of these Regulations of a notification consenting to the matter being dealt with by the Returning Officer and undertaking to abide by the decision of that officer, the Registrar shall consider the statements contained in the declaration (if any) furnished by the person, make such further inquiry as he deems necessary, and, unless he decides to withdraw the case, submit the notification, and declaration (if any), to the Returning Officer.

(4.) The Returning Officer shall, upon the submission of a notification and declaration (if any) in pursuance of the last preceding sub-regulation, consider all the facts and, if satisfied that the person concerned has contravened any of the provisions of regulation 16 of these Regulations, he may make an order imposing upon that person a fine not exceeding Ten shillings for a first offence and not exceeding Two pounds for any subsequent offence, and in that case shall notify the person concerned in accordance with Form 8.

(5.) The Chief Electoral Officer may review any order made by the Returning Officer in pursuance of the preceding sub-regulation and may, if he is of opinion the circumstances justify such action, remit the fine imposed by the order.

(6.) Where any person to whom a notification in accordance with Form 8 has been sent fails, within twenty-one days after the date of notification, to pay to the Returning Officer the amount of the fine imposed upon him, his consent to have the matter dealt with by the Returning Officer shall be deemed to be of no effect and that officer may revoke the order made by him.

(7.) Where a person to whom a notification pursuant to sub-regulation (1.) of this Regulation has been sent fails, within the time specified in the notification, to reply thereto, or does not, within that time, consent to the matter being dealt with by the Returning Officer, or, if he has so consented, and having failed within the time allowed for payment to pay the amount of the fine imposed upon him by the Returning Officer, his consent has been deemed to be of no effect and the order of the Returning Officer has been revoked, the Registrar shall, if he is satisfied that the person has contravened the provisions of regulation 16 of these Regulations, cause proceedings to be instituted against him in a Court of summary jurisdiction.

(8.) In any case where proceedings in respect of a contravention of regulation 16 of these Regulations are instituted in a Court of summary jurisdiction the Registrar shall cause any declaration received in pursuance of this regulation from the person concerned to be brought to the notice of the Court, and the Court shall, at the hearing of the case, consider the declaration (whether the defendant is present or not) as if the matter therein set out has been given in evidence before it.

**18.** Upon receipt of a claim for enrolment or transfer of enrolment, or notification of change of address within the Territory, or application for the alteration or correction of particulars of an existing enrolment, the Registrar shall note thereon the date of its receipt by him, and, if the claim, notification or application is in order and he is satisfied that the claimant is entitled to be enrolled or to have his name transferred or the particulars of his enrolment altered or corrected, as the case requires, the Registrar shall forthwith—

Action upon receipt of claim, notification or application.

- (i) enter on the Roll the name of the claimant and the particulars relating to him or alter or correct the particulars of his enrolment, as the case requires;
- (ii) notify the claimant in accordance with Form 3 that his enrolment has been effected or adjusted as required; and
- (iii) in the case of a transfer of enrolment, give notice of the transfer, in accordance with Form 4, to the Registrar keeping the Roll from which the elector's name has been transferred.

**19.—(1.)** If, on receipt of a claim, the Registrar is not satisfied that the claimant is entitled to be enrolled in pursuance of the claim, the Registrar shall refer the claim to the Returning Officer for his decision.

Reference of claim.

(2.) The Returning Officer shall, after he has made such inquiry as is necessary to enable him to decide the claim, return the claim to the Registrar, with a notification of his decision and, if he decides to reject the claim, the reason for such decision.

(3.) If the Returning Officer decides that the claimant is entitled to enrolment pursuant to the claim, the Registrar shall enrol the claimant and notify him in accordance with Form 3 accordingly.

(4.) If the Returning Officer decides that the claimant is not entitled to enrolment pursuant to the claim, the Registrar shall notify the claimant that his claim has been rejected, specify the reason for the rejection, and advise the claimant that he is entitled, at any time within one calendar month after the receipt of the notification, to appeal to a Court of summary jurisdiction for an order directing that his name be added to the Roll.

**20.** Upon receipt of a claim which is not in order by reason of some formal defect only, the Registrar shall notify the claimant of the nature of the defect and—

Formally defective claim.

- (a) return the claim to him for completion or correction; or
- (b) furnish him with a fresh form of claim for completion.

**21.** Upon receipt of a notice in accordance with Form 4 in the Schedule to the Electoral and Referendum Regulations or Form 4 in the Schedule to the Northern Territory Electoral Regulations of the transfer of the enrolment of an elector whose name appears on the Roll, the Registrar shall forthwith remove the elector's name from the Roll.

Action upon receipt of notice of transfer.

**22.** In addition to other powers of alteration conferred by these Regulations, the Registrar may alter the Roll by—

Alteration of Roll.

- (a) correcting any mistake or omission in the particulars of the enrolment of an elector;

- (b) removing the name of any deceased elector;
- (c) removing the superfluous entry where the name of the same elector appears more than once;
- (d) reinstating any name removed by mistake; or
- (e) removing a name by direction of the Returning Officer where the Returning Officer is satisfied the elector has ceased to be qualified for enrolment on the Roll and has secured enrolment on the roll for a State or for the Northern Territory.

23. Notwithstanding anything contained in this Part—

Closing of Roll  
for election.

- (a) claims for enrolment or transfer of enrolment received by the Registrar after six o'clock in the afternoon of the day of the issue of the writ for an election shall not be registered until after the close of the polling at the election; and
- (b) except by the authority and direction of the Returning Officer, no name shall be removed from the Roll nor any alteration in the particulars of the enrolment of an elector be made therein, after six o'clock in the afternoon of the day of the issue of the writ for an election and before the close of the polling at the election.

24. The Principal Registrar of Births, Deaths and Marriages for the Territory shall, as soon as practicable after the beginning of each month, forward to the Returning Officer—

Deaths and  
marriages to  
be notified.

- (a) a list of the names, addresses, ages and dates of death of all adult persons whose deaths have been registered in the Territory during the preceding month; and
- (b) particulars of all marriages of adult brides which have been registered in the Territory during the preceding month.

25. The Registrar of the Supreme Court of the Territory shall as soon as practicable in each case notify the Returning Officer of the name and address of any person who has been convicted in the Territory and is under sentence for any offence punishable by imprisonment for one year or longer.

Convictions to  
be notified.

26. The Returning Officer shall, upon receipt of information pursuant to the last two preceding regulations, take action under these Regulations to effect such alterations of the Roll as are necessary.

Officer to act  
on information.

PART VI.—OBJECTIONS AND APPEALS.

27. In the application of Parts VIII. and IX. of the Commonwealth Electoral Act in the Territory any reference to the Divisional Returning Officer shall be read as a reference to the Returning Officer and any reference to a subdivision shall be read as a reference to the Territory.

Application of  
Electoral Act.

28.—(1) The notice of objection lodged by an elector or officer not being the Registrar—in respect of a name on the Roll may be in accordance with Form 9.

Forms of  
notice of  
objection.

(2.) The notice of objection lodged by the Registrar in respect of a name on the Roll and the direction of the Returning Officer may be in accordance with Form 10.

(3.) The notice to be forwarded by the Returning Officer to a person whose name has been objected to may be in accordance with Form 11 or Form 12 as the case requires.

**29.** Any person against whom an objection has been lodged or made may answer the objection— Manner of answering objection.

- (a) by attending before the Returning Officer and making an oral statement to show that the objection is not good; or
- (b) by sending by post or delivering to the Returning Officer a statement in writing to show that the objection is not good.

**30.—**(1.) Upon determining an objection the Returning Officer shall send notice of his decision in accordance with Form 13 to the objector if the objector is not the Registrar, and to the person objected to if that person has answered the objection. Notice of determination of objection.

(2.) Where the objector is the Registrar notice of the decision on the objection shall be given in the endorsement on Form 10.

**31.—**(1.) An application under Part IX. of the Commonwealth Electoral Act in its application in the Territory to a Court of summary jurisdiction may be made in writing in the form of a complaint setting out the material facts and asking that the Returning Officer be summoned to answer the complaint. Appeal to Court.

(2.) Upon the complaint being lodged with him the Clerk of the Court shall issue a summons to the Returning Officer to appear before the Court at a time and place mentioned in the summons to answer the complaint and produce all papers connected with the claim for enrolment or transfer of enrolment, or the objection, as the case requires.

(3.) The Returning Officer may, by himself or some person appointed to represent him, appear at the hearing and produce to the Court all papers connected with the claim for enrolment or transfer of enrolment, or the objection, as the case requires.

(4.) The Returning Officer or the person representing him shall, at the hearing, be entitled to be heard.

#### PART VII.—WRIT FOR ELECTION, AND NOMINATIONS.

**32.** In the application of Parts X. and XI. of the Commonwealth Electoral Act in the Territory any reference to an election of a member of the House of Representatives shall be read as a reference to an election and any reference to a Divisional Returning Officer for a Division (howsoever expressed) shall be read as a reference to the Returning Officer for the Territory. Application of Electoral Act.

**33.** Subject to the provisions of the preceding regulation and the substitution of the words "Australian Capital Territory" for the words "Electoral Division of \_\_\_\_\_ in the State of \_\_\_\_\_" the writ for an election may be in accordance with Form B in the Schedule to the Commonwealth Electoral Act. Form of Writ.



**34.** On the receipt of a writ the Returning Officer shall endorse thereon the date of its receipt and shall advertise the receipt and particulars in a newspaper circulating in the Territory.

Duty of Returning Officer on receipt of Writ.

**35.**—(1.) The nomination of a candidate may be in accordance with Form 14 and shall—

Nomination of candidates.

(a) name the candidate, his place of residence and occupation; and

(b) be signed by not less than six persons entitled to vote at the election.

(2.) The place of nomination shall be the office of the Returning Officer and the hour of nomination shall be twelve o'clock noon on the day of nomination.

#### PART VIII.—VOTING BY POST.

**36.**—(1.) In the application of the provisions of Part XII. of the Commonwealth Electoral Act in an election any reference to the State or Division for which the elector is enrolled (howsoever expressed) shall be read as a reference to the Territory and any reference to a Divisional Returning Officer shall, unless the contrary intention appears, be read as a reference to the Returning Officer.

Application of Electoral Act.

(2.) The provisions of sub-section (2) of section 92 of the Commonwealth Electoral Act shall not apply in an election.

**37.**—(1.) The application for a postal vote certificate and postal ballot-paper may be in accordance with Form 15 and shall be made to the Returning Officer or—

Application for postal vote certificate and postal ballot-paper.

(i) if the applicant has reason to believe he may not receive a postal vote certificate and postal ballot-paper from that officer in time to vote at the election to a Divisional Returning Officer for an electoral Division of a State; or

(ii) if the applicant is temporarily within the Northern Territory of Australia—to the Returning Officer for that Territory,

(2.) The application shall not be deemed to have been duly made unless it reaches the Returning Officer or Divisional Returning Officer to whom it is addressed before the close of the poll for the election.

**38.**—(1.) The postal vote certificate may be in accordance with Form 16 and may be printed on an envelope addressed to the Returning Officer.

Postal vote certificate and postal ballot-paper.

(2.) The postal ballot-paper may be in accordance with Form 17.

(3.) Before issuing a postal ballot-paper the Returning Officer or Divisional Returning Officer shall, if the particulars are not already printed thereon insert in the ballot-paper—

(a) the numbers required to complete the "Directions"; and

(b) the full names of all the candidates in alphabetical order according to their surnames.

(4.) When a postal vote certificate and postal ballot-paper is issued to an applicant elector a copy of the "Directions to Elector and Authorized Witness" authorized by the Chief Electoral Officer shall be enclosed therewith.

**39.** The Returning Officer shall keep a locked and sealed ballot-box with the words "Postal Ballot-box" marked thereon and shall place and keep therein until the scrutiny all envelopes bearing a postal vote certificate and purporting to contain a postal ballot-paper relating to the Territory which—

- (a) are delivered to him prior to the close of the poll; or
- (b) are received by him through the post up to the end of the period of seven days immediately succeeding the close of the poll:

Provided that before placing in the postal ballot-box any envelope which is received through the post after the close of the poll and which does not bear evidence sufficient to satisfy him that the vote contained in the envelope was recorded before the close of the poll, the Returning Officer shall endorse on such envelope the date of its receipt and initial such endorsement.

#### PART IX.—THE POLLING.

**40.—(1.)** In the application of the provisions of Part XIII. of the Commonwealth Electoral Act in an election any reference to a Divisional Returning Officer shall be read as a reference to the Returning Officer and any reference to a Division or Subdivision shall be read as a reference to the Territory.

(2.) The provisions of section 113 of the Commonwealth Electoral Act shall not apply in an election.

**41.** The Chief Electoral Officer may, by notice in the *Gazette*—

- (a) appoint polling places within or for the Territory as he thinks necessary; and
- (b) abolish any polling place.

**42.—(1.)** Each polling place shall be provided with the necessary ballot-box or ballot-boxes.

(2.) Each ballot-box shall have a cleft in the cover through which the ballot-papers may be deposited and shall be provided with means for securely closing the cleft and shall be capable of being securely fastened by means of a lock.

**43.** The certified list of voters to be used by a Presiding Officer at a polling place shall be a copy of the Roll certified by the Returning Officer.

**44.** Ballot-papers to be used by electors voting at a polling place may be in accordance with Form 18.

**45.** The Roll in force at the time of an election shall be conclusive evidence of the right of each person enrolled thereon to vote as an elector of the Territory unless he shows by his answers to the questions prescribed by regulation 47 of these Regulations that he is not entitled to vote.

**46.** An elector of the Territory shall, except where he votes by post, be entitled on polling day to vote only at a polling place within or for the Territory.

**47.—(1.) The Presiding Officer—**Questions to be  
put to voter.

(a) shall put to every person claiming to vote the following questions:—

(i) Have you already voted either here or elsewhere at this election?

(ii) Is your real place of living within the Australian Capital Territory?

(iii) (if the last preceding question is answered in the negative)—Was your real place of living at any time within the last three months within the Australian Capital Territory? and

(b) may, and at the request of any scrutineer shall, also put all or any of the following questions:—

(iv) Are you of the full age of twenty-one years?

(v) Are you a British subject?

(vi) Are you qualified to vote? and

(c) may, and at the request of any scrutineer shall, also put to any person claiming to vote whose name appears on the certified list of voters the following question:—

(vii) Are you the person whose name appears as (here state name under which the person claims to vote) on the certified list of voters?

(2.) If any person claiming to vote to whom any of the foregoing questions are put—

(a) refuses to answer fully any question so put to him;

(b) does not answer the question numbered (i) absolutely in the negative when put to him;

(c) does not answer the question numbered (ii) absolutely in the affirmative when put to him, or, if he answers that question in the negative, does not answer the question numbered (iii) absolutely in the affirmative when put to him;

(d) does not answer the questions numbered (iv), (v), (vi) and (vii) absolutely in the affirmative when put to him,

his claim to vote shall be rejected.

(3.) The voter's answer to any question put to him by the Presiding Officer under the authority of this regulation shall be conclusive and the matter shall not be further inquired into during the polling.

(4.) In this regulation the words "real place of living" include the place of living to which a person temporarily living elsewhere has a fixed intention of returning for the purpose of continuing to live thereat.

**48.—(1.)** The Presiding Officer or a Poll Clerk shall at the polling hand to each person claiming to vote a ballot-paper, duly initialled by the Presiding Officer, if the name under which he claims to vote is on the certified list of voters and—

Right of  
elector to  
receive  
ballot-paper.

(a) his right to vote is not challenged; or

(b) his right to vote is challenged and his answers to the prescribed questions show that he is entitled to vote.

(2.) The Presiding Officer, at the request of a scrutineer, shall note any objection by the scrutineer to the right of any person to vote and shall keep a record thereof.

(3.) If the Presiding Officer puts to any person all or any of the prescribed questions, his right to vote shall be deemed to have been challenged.

49. Immediately upon handing the ballot-paper to the person claiming to vote, the Presiding Officer or Poll Clerk shall place a mark against the person's name on the certified list of voters if his name is on that list. List of voters to be marked.

50. When any person who is entitled to be enrolled on the Roll claims to vote at an election and his name has been omitted from or struck out of the certified list of voters owing to an error of an officer or a mistake of fact or when any person who is enrolled on the Roll claims to vote at an election and his name cannot be found by the Presiding Officer on the certified list of voters, he may, subject to these Regulations, be permitted to vote if— Vote of person whose name has been omitted or struck out of certified list or cannot be found on Roll.

(a) in the case of a person whose name has been omitted from the certified list—

(i) he sent or delivered to the Registrar a duly completed claim for enrolment or transfer of enrolment as the case requires and the claim was received by the Registrar before the issue of the writ for the election; and

(ii) he did not after sending or delivering the claim and before the issue of the writ become qualified for transfer of enrolment to a Subdivision of a State or a District of the Northern Territory; or

(b) in the case of a person whose name has been struck out of the certified list—

(i) his name was not to the best of his knowledge removed from the Roll owing to objection, transfer or duplication of enrolment, or disqualification; and

(ii) he had from the time of his enrolment to the date of the issue of the writ for the election continuously retained his right to such enrolment; or

(c) in the case of a person whose name is on the Roll but cannot be found by the Presiding Officer, he claims that his name appears or should appear on the Roll,

and makes a declaration in Form 19 before the Presiding Officer.

51. Where a person against whose name on the certified list of voters used at a polling place— Vote of person whose name on certified list has been marked.

(i) a mark has been placed in accordance with regulation 49 of these Regulations; or

(ii) a note has been placed indicating that a postal vote certificate and postal ballot-paper has been issued,

claims to vote at an election and states that he has not already voted or that he has not received a postal vote certificate and postal ballot-paper as the case may be, he may, subject to these Regulations, be permitted to vote if he makes a declaration in Form 20 before the Presiding Officer at the polling place.

52. A person who votes under regulation 50 or 51 of these Regulations shall mark, fold and return his ballot-paper to the Presiding Officer and thereupon that officer shall, in the presence of the voter and of any scrutineers present, without unfolding the ballot-paper, enclose it in the envelope bearing the voter's declaration, fasten the envelope and deposit it in the ballot-box. Vote to be enveloped and deposited in ballot-box.

53.—(1.) The list of the names and descriptions of the electors who did not vote at an election which is required to be prepared by the Returning Officer under the provisions of section 128A of the Commonwealth Electoral Act in its application in the Territory may be certified in accordance with Form 21. Compulsory voting.

(2.) The notice to be sent to each elector whose name appears on the list may be in accordance with Form 22 and shall be posted within three months after the close of the election.

(3.) The form for the reply of the elector, which shall be filled up and signed by the elector in the presence of a witness, may be in accordance with Form 23.

(4.) Where the reply of the elector states a reason for his failure to vote which, in the opinion of the returning officer, is not a valid and sufficient reason for that failure, the Returning Officer shall notify the elector, in accordance with Form 24, of his opinion and inform him that he has the option of having the matter dealt with by the Chief Electoral Officer or by a Court of summary jurisdiction.

(5.) If an elector desires the matter to be dealt with by the Chief Electoral Officer and is prepared to abide by the decision of that officer, he shall notify the Returning Officer in accordance with Form 25 and shall deposit with the Returning Officer the sum of Ten shillings.

(6.) Upon the receipt from an elector who has failed to vote of a notification consenting to the matter being dealt with by the Chief Electoral Officer and to abide by the decision of that officer and of the required deposit, the Returning Officer shall transmit the notification, together with the elector's reply stating his reason for having failed to vote, to the Chief Electoral Officer.

(7.) The Chief Electoral Officer shall consider all the facts and if satisfied that the elector concerned has failed to vote at the election without a valid and sufficient reason for that failure, he may make an order imposing upon that elector a fine of not less than Ten shillings or more than Two pounds, and notify the Returning Officer accordingly.

(8.) The Returning Officer shall—

- (a) if a fine is imposed—appropriate the deposit in payment or part payment thereof and notify the elector of the fine and the appropriation of his deposit in payment or part payment thereof; or
- (b) if a fine is not imposed—notify the elector accordingly and return his deposit.

**54.** Subject to the directions of the Chief Electoral Officer, the Returning Officer shall— Proceedings  
in a Court.

- (a) if he is satisfied that there has been a contravention of paragraph (a) of sub-section (12.) of section 128A of the Commonwealth Electoral Act in its application in the Territory by an elector and the elector has not within the time allowed consented to the matter being dealt with by the Chief Electoral Officer and deposited the sum of Ten shillings in accordance with sub-regulation (5.) of regulation 53 of these Regulations; or
- (b) if he is satisfied that there has been a contravention of paragraph (b) of sub-section (12.) of section 128A of the Commonwealth Electoral Act in its application in the Territory by an elector; or
- (c) if he is satisfied that there has been a contravention of paragraph (c) of sub-section (12.) of section 128A of the Commonwealth Electoral Act in its application in the Territory by an elector,

forthwith cause proceedings to be taken against the elector in a Court of summary jurisdiction.

**55.—(1.)** In any proceedings which are instituted in a Court of summary jurisdiction, pursuant to paragraph (a) of the last preceding regulation, the Returning Officer shall send to the Court the elector's reply, if any, stating his reason for having failed to vote. Court to  
consider  
elector's reply.

(2.) The Court shall, whether the defendant is present or not, consider the contents of the reply as if it were given in evidence before the Court.

(3.) If the defendant attends the Court, and sets up a defence differing in substance from the statement contained in his reply, the Court shall, if it dismisses the information, do so without awarding the defendant the costs of his defence.

(4.) A copy of this regulation shall be served with the summons.

**56.—(1.)** In any proceedings in the Court of summary jurisdiction against an elector for a contravention of paragraph (b) of sub-section (12.) of section 128A of the Commonwealth Electoral Act in its application in the Territory, there shall be served on the defendant a notice that the defendant may attend the Court and answer the charge in person or may, at any time, not less than three days before the date fixed for the hearing, lodge with or send by post to the Returning Officer a statutory declaration setting out any matter which he desires to set out in answer to the charge and that, unless the Returning Officer withdraws the charge, the declaration will be sent to the Court for consideration of the matter set out therein as if it were given in evidence before the Court, subject to any evidence in reply adduced by the Returning Officer. Proceedings  
where elector  
has failed to  
reply.

(2.) Where a statutory declaration is received by the Returning Officer in pursuance of the last preceding sub-regulation, he shall, unless he withdraws the prosecution, bring the declaration to the notice of the Court.

(3.) The Court shall, at the hearing, consider the statutory declaration, whether the defendant is present or not, as if the matter set out therein were given in evidence before it, but if the defendant attends the

Court, and sets up a defence differing in substance from the statement contained in his declaration, the Court shall, if it dismisses the information, do so without awarding the defendant the costs of his defence.

PART X.—THE SCRUTINY AND RETURN OF WRIT.

57. Each candidate may by notice in writing or by telegram addressed to the Returning Officer appoint one scrutineer to represent him at the scrutiny at each place at which the scrutiny is being conducted and such notice or telegram shall be signed by the candidate and shall give the name and address of the scrutineer. Scrutineers at scrutiny.

58. The Returning Officer, in the presence of an officer of the Commonwealth Public Service and of such scrutineers as choose to attend, shall produce all applications for postal vote certificates and postal ballot-papers and the postal ballot-box in which have been placed the envelopes containing postal ballot-papers received up to the end of the period of seven days immediately succeeding the close of the poll, and shall— Preliminary scrutiny of postal votes.

- (a) compare the signature of the voter on each postal vote certificate with the signature of the applicant on the voter's application and allow the scrutineers (if any) to inspect both signatures;
- (b) if satisfied that the signature on the certificate is that of the elector who signed the application, that the signature purports to have been witnessed by an authorized witness, that the vote contained in the envelope bearing the certificate was recorded prior to the close of the poll and that the elector is enrolled for the Territory, accept the ballot-paper for further scrutiny and place a mark against the name of the elector on a certified copy of the Roll, but if not so satisfied disallow the ballot-paper without opening the envelope in which it is contained;
- (c) place in a parcel the envelopes bearing the certificates of those persons whose ballot-papers he has disallowed, fasten and seal the parcel, endorse thereon the words "Postal Voters' ballot-papers rejected at the preliminary scrutiny" and add his signature and the date;
- (d) place the envelopes containing the ballot-papers which he has accepted for further scrutiny before him on a table with the address side uppermost;
- (e) number each envelope consecutively from one upwards until the whole of the envelopes have been dealt with;
- (f) without further examining the certificate of the voter or permitting any other person to do so withdraw from the envelope the ballot-paper contained therein and without inspecting such ballot-paper or allowing any other person to do so place thereon a number corresponding to that placed on the envelope from which the ballot-paper has been withdrawn, and forthwith deposit the ballot-paper in a locked and sealed ballot-box for further scrutiny; and
- (g) place the envelopes in a parcel, fasten and seal the parcel and endorse thereon the words "Envelopes bearing postal vote certificates from which ballot-papers have been withdrawn for further scrutiny" and add his signature and the date.

59. The Returning Officer, in the presence of an officer of the Commonwealth Public Service and of such scrutineers as choose to attend, shall produce all envelopes taken from the ballot-boxes which contain the ballot-papers of persons who have recorded votes under the provisions of regulations 50 and 51 of these Regulations and shall—

Preliminary scrutiny of votes recorded under regulations 50 and 51.

(a) if satisfied that the declaration is in order and—

(i) in the case of a vote recorded under regulation 50 of these Regulations—that the voter is a person to whom paragraph (a), (b) or (c) of that regulation applies; or

(ii) in the case of a vote recorded under regulation 51 of these Regulations—that the voter is entitled to vote and has not already voted or that he did not receive a postal vote certificate or postal ballot-paper as the case may be,

accept the ballot-paper for further scrutiny, cause any necessary addition to be made to the Roll and place a mark against the name of the elector on a certified copy of the Roll;

(b) if not so satisfied, disallow the ballot-paper without opening the envelope in which it is contained; and

(c) take further action, *mutatis mutandis*, in accordance with the provisions of paragraphs (c), (d), (e), (f) and (g) of regulation 58 of these Regulations.

60.—(1.) The Returning Officer shall, in the presence of a Presiding Officer or Poll Clerk and of such authorized scrutineers as may attend—

The scrutiny—general.

(a) open all ballot-boxes received from the several polling places, and the ballot-boxes in which have been placed the postal ballot-papers, and the ballot-papers of persons who have voted under the provisions of regulations 50 and 51 of these Regulations, which have been accepted for further scrutiny;

(b) reject all informal ballot-papers and arrange the unrejected ballot-papers under the names of the respective candidates by placing in a separate parcel all those on which a first preference is indicated for the same candidate; and

(c) count the first preference votes given for each candidate on the unrejected ballot-papers.

(2.) The candidate who has received the largest number of first preference votes shall, if that number constitutes an absolute majority of votes, be elected.

(3.) If no candidate has received an absolute majority of first preference votes, the Returning Officer shall proceed with the scrutiny and the counting of the votes as follows:—

(i) the candidate who has received the fewest first preference votes shall be excluded and each ballot-paper counted to him shall be counted to the candidate next in order of the voter's preference;



- (ii) if no candidate then has an absolute majority of votes the process of excluding the candidate who has the fewest votes, and counting each of his ballot-papers to the unexcluded candidate next in the order of the voter's preference, shall be repeated until one candidate has received an absolute majority of votes; and
- (iii) the candidate who has received an absolute majority of votes shall be elected.

(4.) If on any count two or more candidates have an equal number of votes and one of them has to be excluded, the Returning Officer shall decide which shall be excluded; and, if in the final count two candidates have an equal number of votes the Returning Officer shall decide by his casting vote which shall be elected, but, except as provided in this sub-regulation, he shall not vote at the election.

(5.) The Returning Officer shall—

- (a) place in one parcel all the ballot-papers which have been rejected as informal;
- (b) place in a separate parcel all the unrejected ballot-papers; and
- (c) seal up the parcels and indorse on each parcel a description of the contents thereof and permit any scrutineers present if they so desire, to countersign the indorsement.

61. Where the Returning Officer is satisfied that the votes—

- (a) on any ballot-papers issued at a polling place in connexion with an election which have not been received by him; or
- (b) on any ballot-papers used for voting in pursuance of regulations 50 or 51 of these Regulations and in relation to which the Returning Officer has not completed the action specified in regulation 59 of these Regulations,

Scrutiny prior to receipt of all ballot-papers, &c.

cannot, having regard to the number of those ballot-papers possibly affect the result of the election, the Returning Officer may, with the concurrence of the Chief Electoral Officer, proceed with the scrutiny, without awaiting the receipt of the ballot-papers, or completing the action, as the case may be.

62.—(1.) At any time before the declaration of the result of an election, the Returning Officer may, if he thinks fit, on the request of any candidate or of his own motion, and shall, if so directed by the Chief Electoral Officer, recount the ballot-papers contained in any parcel.

Recount.

(2.) Before proceeding to recount any ballot-papers the Returning Officer shall send to each candidate notice of the time and place fixed for the recount.

(3.) The Returning Officer shall, at a recount, in the presence of such authorized scrutineers as may attend and of an officer of the Commonwealth Public Service, open the sealed parcel (or parcels) of ballot-papers to be recounted and shall count the votes therein.

(4.) The Returning Officer may, and at the request of any scrutineer shall, reserve any ballot-paper for the decision of the Chief Electoral Officer and the Chief Electoral Officer shall, in the presence of an officer of the Commonwealth Public Service and, if any candidate so desires in the presence of a person appointed by such candidate, scrutinize each such ballot-paper and mark the ballot-paper "Admitted" or "Rejected" according to his decision to admit or reject it.

(5.) After a parcel has been opened and the votes therein recounted, the Returning Officer shall replace the ballot-papers in their original cover, which he shall refasten, reseal and then place in a new cover which he shall fasten and seal, and make thereon an indorsement of the fact and date of the recount, and the Returning Officer, and such persons authorized to be present at the recount as choose, shall sign the indorsement.

(6.) In the event of the validity of the election being disputed, the Court of Disputed Returns may consider any ballot-papers which were reserved for the decision of the Chief Electoral Officer but shall not order any further recount of the whole or any part of the ballot-papers unless it is satisfied that the recount is justified.

63. The Returning Officer shall, as soon as conveniently may Return of Writ. be after the result of the election has been ascertained—

- (a) at the place of nomination publicly declare the result of the election and the name of the candidate elected;
- (b) by endorsement under his hand certify on the writ the name of the candidate elected and return the writ.

#### PART XI.—MISCELLANEOUS.

64.—(1.) The returns of expenses and of matter published in relation Returns of expenses, &c. to an election required to be filed in pursuance of sections 151, 152 and 153 of the Commonwealth Electoral Act in its application in the Territory shall be filed with and retained by the Chief Electoral Officer.

(2.) The fee to be paid for an inspection of a return furnished by a candidate in pursuance of section 151 of the Commonwealth Electoral Act in its application in the Territory shall be 2s. 6d.

(3.) The returns to be furnished in pursuance of sections 152 and 153 of the Commonwealth Electoral Act in its application in the Territory may be in accordance with Forms 47 and 49 in the Schedule to the Electoral and Referendum Regulations and the fee to be paid for an inspection of any such return shall be 1s.

65.—(1.) The Returning Officer and every Assistant Returning Officer, Presiding Officer, Assistant Presiding Officer, substitute Presiding Officer, Poll Clerk and Scrutineer shall make and subscribe an Undertaking by officers and scrutineers. undertaking in accordance with Form 26.

(2.) An omission by any officer or scrutineer to sign and subscribe the undertaking required by this regulation shall not be a ground for setting aside any election.

**66.** The official mark for the authentication of ballot-papers shall **Official mark.** be a watermark in the paper thereof consisting of a representation of a shield having therein the letters "CA" intertwined.

**67.** The notice of withdrawal by a candidate of his consent to **Withdrawal of nomination.** nomination may be in accordance with Form 27 and shall be signed by the candidate in the presence of the Returning Officer or of a Justice of the Peace.

**68.—(1.)** The sealed parcels of ballot-papers, postal vote certificates **Sealed parcels to be preserved.** and voters' declarations shall be preserved until their destruction has been authorized by the Chief Electoral Officer.

- (2.) The sealed parcels of ballot-papers may only be opened—
- (a) for the purpose of an authorized recount; or
  - (b) by the Returning Officer for the purposes of any authorized official inquiry.

**69.—(1.)** Strict compliance with the Forms in the First Schedule **Forms.** shall not be required and substantial compliance shall suffice for the purposes of these Regulations.

(2.) Where no form has been prescribed for any action required to be taken under these Regulations by an officer, the officer may use such form as is approved by the Chief Electoral Officer.

**70.—(1.)** In the application of the Commonwealth Electoral Act **Application of the Commonwealth Electoral Act.** in the Territory the following sections are excepted, namely, section 3, sections 7-10, section 12, sections 15-30, sections 32-35, sub-sections (1.), (2.) and (4.) of section 41, sub-section (2.) of section 47, sections 60, 66, 72A, 72B, sub-section (1.) of section 77, sub-section (1.) of section 79, sub-section (1.) of section 83, sections 104, 105A, sub-section (1.) of section 112, sections 123, 128, 135, 137, 141, sub-section (2.) of section 183, section 218A, and Forms A and C of the Schedule to that Act.

(2.) The Commonwealth Electoral Act in its application in the Territory—

- (a) is, to the extent to which it is inconsistent with these Regulations, modified and adapted accordingly; and
- (b) is further modified to the extent indicated in the Second Schedule to these Regulations.

(3.) Subject to the foregoing provisions of these Regulations, in the application of the Commonwealth Electoral Act in the Territory, unless the contrary intention appears—

- (a) any reference to a Commonwealth Electoral Officer shall be read as a reference to the Chief Electoral Officer;
- (b) any reference to a Divisional Returning Officer, Returning Officer, or Registrar shall be read as a reference to the Returning Officer or Registrar, as the case may be; and
- (c) any reference to a State, Division or Sub-division shall be read as a reference to the Territory.

THE SCHEDULES.

THE FIRST SCHEDULE.

FORM. 1.

Regulation 7 (1).

19

COMMONWEALTH OF AUSTRALIA.  
AUSTRALIAN CAPITAL TERRITORY.

ROLL OF ELECTORS.

No., Name in Full, Place of Living, Occupation, and Sex of each Elector.

M signifies Male. F signifies Female.

[Here follow Names, &c.]

FORM 2.

Regulation 15.

[Front of Form.]

COMMONWEALTH OF AUSTRALIA.  
AUSTRALIAN CAPITAL TERRITORY.

ELECTORAL CLAIM.

Particulars for Enrolment. {  
SURNAME—  
CHRISTIAN NAMES—  
(In full)  
PLACE OF LIVING—  
(Give full address)  
OCCUPATION—  
Sex

The following particulars relating to claimant will not appear on the Roll, but must be stated on this card.

Date and year of birth	Place of birth	Former Surname* (*See Instruction (D) on other side.)
------------------------	----------------	----------------------------------------------------------

To THE ELECTORAL REGISTRAR for the Australian Capital Territory.

1. I am an inhabitant of Australia and have lived therein for six months continuously.
2. I am a British subject, am not under the age of 21 years, and am qualified to be enrolled as an elector.
3. I claim to have my name and particulars for enrolment placed on the Roll of Electors for the Australian Capital Territory, in which I now live and have lived for a period of not less than one month immediately preceding the date of this Claim.
4. My name is at present enrolled for the Subdivision (or District) of the State (or Territory) of \_\_\_\_\_ in respect of the following address therein namely:—

I declare that the whole of the statements made in this Claim are true to the best of my knowledge and belief.

Personal Signature }  
of Claimant } Date / /19

I, the undersigned, am an elector or a person qualified to be an elector of the Australian Capital Territory, and I certify that I have seen the above-named claimant sign the above claim, and that I either know the statements contained in the claim to be true or have satisfied myself by inquiry of the claimant or otherwise that the said statements are true. (Penalty on witness for failure to fully comply with this requirement—£50.)

Personal signature of witness (in own handwriting)  
Occupation Place of living

Before filling in or witnessing this claim, carefully read instructions on other side.

## Form 2—continued.

[Back of Form.]

This form may be used only by a qualified person not under the age of 21 years, (a) when claiming enrolment or transfer of enrolment, or (b) when notifying a change of address within the Territory or applying for the correction of any particulars of an existing enrolment

## INSTRUCTIONS TO BE OBSERVED WHEN FILLING IN PARTICULARS ON THE OTHER SIDE OF THIS CLAIM.

- (a) *Place of living*.—Full address, including name and street number (if any) of habitation must be inserted.
- (b) *Paragraph 4* should be struck out if claimant is NOT already enrolled.
- (c) *Personal Signature of Claimant*.—The signature of the Claimant must be his personal signature. If unable to sign his name in his own handwriting, he may make his mark as his signature. The signature or mark must be made in the presence of the person who signs as witness.
- (d) Former surname is to be filled in ONLY in the case of a married woman who has changed her name by marriage since her last enrolment.

NOTE.—The claimant should see that he receives an acknowledgment of this claim in due course.

## INSTRUCTIONS TO PERSON WITNESSING ELECTORAL CLAIM.

- (i) The person witnessing an electoral claim must be an elector, or a person qualified to be an elector, of the Territory.
- (ii) A person shall not sign his name as witness—
- (a) on any blank electoral claim; or
- (b) on any electoral claim which has been wholly or partly filled up unless it has been signed by the person intended to sign it; or
- (c) on any electoral claim unless he has seen the person, whose signature he purports to witness, sign it. Penalty—Fifty pounds.
- (iii) A person shall not write on any electoral claim as his own name (a) the name of another person; or (b) any name not being his own name. Penalty—Fifty pounds.

This space is to be filled in by Electoral Registrar—	
Rec'd (date)	Reg'd (date)
Ack'd (date)	Initials

N.B.—Electoral Forms for public use may be obtained from any Post Office in the Territory.

## FORM 3.

[Front of Form.]

Regulation 18.

COMMONWEALTH OF AUSTRALIA.

AUSTRALIAN CAPITAL TERRITORY.

*The Australian Capital Territory Representation Act.**The Australian Capital Territory Electoral Regulations.*

## ACKNOWLEDGMENT OF RECEIPT OF ELECTORAL CLAIM.

To the Elector whose name appears on the back hereof.

Your electoral claim dated \_\_\_\_\_ has been received and, pursuant to communication \_\_\_\_\_

thereto, your enrolment for the Australian Capital Territory has been effected or adjusted as required.

Form 3—*continued*.

POINTS FOR ELECTOR TO REMEMBER.

1. You should retain this acknowledgment as evidence of your enrolment.
2. Voting at Commonwealth Elections is compulsory.
3. Correct enrolment is compulsory, therefore—

(a) If you change your place of living from the address for which you are enrolled to another address in the Territory you should, within 21 days after making such change, notify the Electoral Registrar for the Territory of your new address, in the prescribed form.\*

(b) If you change your place of living to a Subdivision of a State or a District of the Northern Territory you should, after you have lived therein for a period of one month, send or deliver to the Electoral Registrar for the Subdivision or District a claim for transfer of enrolment, in the prescribed form,\* within 21 days after the expiration of that period.

Failure to comply with the provisions of paragraphs (a) and (b) above will render you liable to a penalty not exceeding £2 (Two pounds).

\* Obtainable at any post office.

Electoral Registrar for the Australian Capital Territory.

Date—

Address—

NOTE TO ELECTOR.—An elector who is only temporarily absent from his place of living, although the period of such absence may exceed one month, is not thereby deemed to have changed his place of living for the purposes of transfer of enrolment, or change of address on the Roll.

[Back of Form.]

O.H.M.S.

Commonwealth Electoral  
Paper only.

Post Free.

To—

M.....

FORM 4.

Regulation 18.

COMMONWEALTH OF AUSTRALIA.  
AUSTRALIAN CAPITAL TERRITORY.

*The Australian Capital Territory Representation Act.*  
*The Australian Capital Territory Electoral Regulations.*

NOTIFICATION OF TRANSFER OF ENROLMENT.

To the Electoral Registrar for the Subdivision or District of

You are requested to remove from the Roll kept by you the name of each elector scheduled herein, the elector having now been enrolled pursuant to a claim for transfer of enrolment for the Australian Capital Territory.

Form 4—continued.  
SCHEDULE.

Particulars appearing in claim for transfer received by me.				Elector's address in Roll kept by you as set out in claim received by me.	Notations showing action taken by Registrar to whom notification addressed.		
Surname.	Christian Names (in full).	Occupation.	Sex.		Name removed (date).	Number on Roll (if in print) or Date of Enrolment (if in manuscript).	Remarks. (if case requires).

Elector's address in Roll kept by you as set out in claim received by me.

Date—

To Divisional Returning Officer, or Returning Officer for the Territory, as case requires.  
Registrar for (Subdivision or District).  
(Date)—

FORM 5.

Regulation 17 (1).

COMMONWEALTH OF AUSTRALIA,  
AUSTRALIAN CAPITAL TERRITORY.

*The Australian Capital Territory Representation Act.*  
*The Australian Capital Territory Electoral Regulations.*

NOTIFICATION TO A PERSON ALLEGED TO HAVE FAILED TO COMPLY WITH THE REQUIREMENTS OF REGULATION 16 [here insert number of sub-regulation] OF THE AUSTRALIAN CAPITAL TERRITORY ELECTORAL REGULATIONS.

To—

You are hereby notified that from information laid before me, it would appear that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ in the Australian Capital Territory [here insert nature of contravention alleged] and I do therefore allege that you have contravened the provisions of regulation 16 [here insert number of sub-regulation] of the Australian Capital Territory Electoral Regulations.

A contravention of the regulation mentioned is punishable by a fine not exceeding Ten shillings for the first offence and not exceeding Two pounds for any subsequent offence.

You have the option of having the alleged contravention dealt with by the Returning Officer for the Territory (thus avoiding costs of Court) or by a Court of summary jurisdiction.

If you desire to have the matter dealt with by the Returning Officer, you must fill in and sign, in the presence of a witness, who must be an elector, or a person qualified to be an elector, of the Commonwealth or of the Territory, the form of consent at the foot of this form, and send it or deliver it to me so as to reach me not later than the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

If you desire to answer the allegation you may send or deliver to me, so as to reach me not later than the last-mentioned date, a declaration in the form printed on the back of the form of consent setting out any facts relevant to the matter.

If your answer be accepted as a satisfactory reply to the allegation, no further action will be taken, and no further notice will be sent to you.





**FORM 8.**

**Regulation 17 (4).**

**COMMONWEALTH OF AUSTRALIA.**

**AUSTRALIAN CAPITAL TERRITORY.**

*The Australian Capital Territory Representation Act.*

*The Australian Capital Territory Electoral Regulations.*

**NOTIFICATION OF PENALTY IMPOSED FOR CONTRAVENTION OF  
REGULATION 16 OF THE AUSTRALIAN CAPITAL TERRITORY  
ELECTORAL REGULATIONS.**

To—

You are informed that pursuant to your notification of consent dated the day of 19 , I have dealt with the matter of your contravention of Regulation 16 of the Australian Capital Territory Electoral Regulations, and that I have imposed upon you a fine of

You are hereby required to pay that amount to me not later than the day of 19 .

The amount may be paid at my office in cash or may be remitted to me by Postal Note or Money Order, made payable to the Collector of Public Moneys. Upon payment of the penalty an official receipt will be handed to you or forthwith sent to you by post.

Unless you comply with the requirements of this notification within the time allowed herein your consent to have the matter of your contravention dealt with by me shall be deemed to have been of no effect and the order made by me shall be revoked and in lieu thereof proceedings may be instituted against you in a Court of Summary Jurisdiction

Returning Officer  
for the Australian Capital Territory.  
(Address)  
(Date)

**FORM 9.**

**Regulation 28 (1).**

[Form to be used by an Elector of the Australian Capital Territory or by an Officer (not being the Registrar) when lodging an objection.]

**COMMONWEALTH OF AUSTRALIA.**

**AUSTRALIAN CAPITAL TERRITORY.**

*The Australian Capital Territory Representation Act.*

*The Australian Capital Territory Electoral Regulations.*

**NOTICE OF OBJECTION.**

To the Returning Officer for the Australian Capital Territory.

I object to the name of—

No. on Roll.	Surname.	Christian Names at full length.	Place of Living as appearing on Roll.	Occupation.	Place of Abode for time being, if known to the objector.

being retained on the Roll of Electors for the Australian Capital Territory, on the ground that [here insert ground of objection].

(Signature)  
(Occupation)  
(Address)

Dated the                      day of                      19 .

FORM 10.

Regulation 28 (2).

[Form to be used by the Registrar when lodging objections to the retention of names on the Roll kept by him.]

[Front of Form.]

COMMONWEALTH OF AUSTRALIA.

AUSTRALIAN CAPITAL TERRITORY.

*The Australian Capital Territory Representation Act.*

*The Australian Capital Territory Electoral Regulations.*

NOTICE OF OBJECTION.

To the Returning Officer.

I object to each undermentioned name being retained on the Roll of Electors for the Australian Capital Territory on the ground [here insert ground of objection].

Dated the \_\_\_\_\_ Registrar for the Australian Capital Territory.  
day of \_\_\_\_\_ 19 .

Persons Objected to.			Place of Living as appearing on Roll.	Occupation.	Place of Abode for time being, if known to Registrar.	Registrar's Initials.
No. on Roll.	Surname.	Christian Names at full length.				

[Back of Form.]

INDORSEMENT BY RETURNING OFFICER.

- (1) Notices of Objection posted by Returning Officer to persons objected to .. .. }
- (2) Date of expiration of period allowed for answers to objections .. .. }
- (3) Answers received from—

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Notification to the Registrar for the Australian Capital Territory.  
(A) Objections sustained excepting as to the following names, viz.:—

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(B) You are hereby directed to forthwith remove from the Roll for the Territory all the names appearing on the within list of objections, with the exception of those mentioned in the foregoing paragraph (A), in which cases the objections have not been sustained.

Returning Officer for the Australian Capital Territory.

All necessary action taken in accordance with the above direction.

Registrar for the Australian Capital Territory.



## FORM 12.

Regulation 28 (3).

COMMONWEALTH OF AUSTRALIA.

AUSTRALIAN CAPITAL TERRITORY.

*The Australian Capital Territory Representation Act.**The Australian Capital Territory Electoral Regulations.*NOTICE OF OBJECTION TO PERSON OBJECTED TO ON A GROUND  
OTHER THAN THAT OF NON-RESIDENCE.

To the person objected to, whose name and address appear on the back hereof.

Notice is hereby given that an objection has been lodged with me by [*here insert the name and description of the objector*] objecting to your name being retained on the Roll of Electors for the Australian Capital Territory on the following grounds, namely:—[*Here insert grounds of objection.*]

You are entitled at any time within twenty days from the posting of this notice to answer the objection either orally or in writing.

If you intend to answer the objection orally you should attend my office at [*here insert address of office*] between the hours of [*here insert hours and days office will be officially open*], before the expiration of twenty days from the posting of this notice.

If you claim that you are qualified for the enrolment objected to, and do not desire to attend at my office for the purpose of answering this objection orally, you should with the least delay, but before the expiration of twenty days from the posting of this notice—

- (a) complete, personally sign, and date the reply at the foot hereof in the presence of a witness; and
- (b) fold the notice so that the address "Returning Officer for the Australian Capital Territory" shall be visible, and send or deliver the notice to me with reply attached.

If you are not qualified for the enrolment objected to, you need not reply to this objection.

If you answer the objection, notice of the decision on the objection will be sent to you.

If you fail to answer the objection within twenty days from the posting of this notice, the objection will be determined, and your name may be struck off the Roll, but no notice of the decision on the objection will be sent to you.

Returning Officer for the Australian Capital Territory.

(Postal address)

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 .

## REPLY.

(To be completed only if the elector claims that he is qualified for the enrolment objected to.)

I am the elector whose enrolment is objected to in this notice, and I claim that I am qualified for such enrolment.

My reasons for so claiming are as follow:—

[*Here set forth reasons relied upon as an answer to the objection.*]

(Personal signature of elector)

[*To be made in presence of witness.*]

(Address in the Territory)

Witness to signature—

(Being an elector or person qualified to be an elector.)

(Occupation)

(Place of living)

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 .

## FORM 13.

Regulation 30 (1).

COMMONWEALTH OF AUSTRALIA.  
AUSTRALIAN CAPITAL TERRITORY.*The Australian Capital Territory Representation Act.*  
*The Australian Capital Territory Electoral Regulations.*  
NOTICE OF DETERMINATION OF OBJECTION.

To—

Notice is hereby given that I have considered the objection lodged by [*here set out the name of objector*] to the retention of the name of [*here set out name of person objected to*] on the Roll of Electors for the Australian Capital Territory and have decided—

- (a) to remove the said name from the said Roll;  
(b) to dismiss the objection and to retain the said name on the said Roll.

(NOTE.—Strike out sub-paragraph (a) or sub-paragraph (b) as the case requires.)

If aggrieved by this decision you may, at any time within one calendar month after the receipt of this notice, appeal against the decision to a court of summary jurisdiction.

Returning Officer for the Australian Capital Territory.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 .

## FORM 14.

Regulation 35 (1).

COMMONWEALTH OF AUSTRALIA.  
AUSTRALIAN CAPITAL TERRITORY.*The Australian Capital Territory Representation Act.*NOMINATION OF A MEMBER OF THE HOUSE OF REPRESENTATIVES  
FOR THE AUSTRALIAN CAPITAL TERRITORY.

To the Returning Officer for the Australian Capital Territory.

We, the undersigned electors on the Roll of Electors for the Australian Capital Territory, and entitled to vote at the Election of a Member of the House of Representatives for the said Territory, do hereby nominate [*here insert the Christian name or names in full, surname, place of residence, and occupation of person nominated*] as a Member of the House of Representatives for the above-mentioned Territory.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 .

Signature of Nominator.	Place of Living.

I, \_\_\_\_\_ of \_\_\_\_\_ consent to the above nomination and to act if elected, and declare that I am qualified under the Constitution and the laws of the Commonwealth to be elected as a Member of the House of Representatives for the Australian Capital Territory.

(Signature of candidate)

Witness—

Address—

N.B.—The candidate's consent to the nomination and his declaration of qualification may be on a separate paper and in any form, but if given on the nomination paper in the above form their sufficiency is not to be questioned.

A nomination must be signed by not less than six persons entitled to vote at the election for which the candidate is nominated.

## FORM 15.

## Regulation 37 (1).

This application should be made, after the tenth day prior to the issue of the writ for the election to which it relates, to the Returning Officer for the Territory, or if the applicant has reason to believe he may not receive a postal vote certificate and postal ballot-paper from that officer in time to vote at the election, to a Divisional Returning Officer for an electoral Division of a State, or if within the Northern Territory to the Returning Officer for that Territory at Darwin. Unless the application reaches the officer to whom it is addressed before 6 p.m. on the day immediately preceding the polling day a postal vote certificate or postal ballot-paper will not be posted in response to it, but such certificate and ballot-paper may be obtained by the applicant upon application in person at the office of such officer up to 8 p.m. on the polling day.

In order that a Postal Ballot-paper may be admitted to the scrutiny it should be posted prior to the close of the poll so as to reach the Returning Officer before the end of the period of seven days immediately succeeding the close of the poll, or delivered to that officer prior to the close of the poll.

COMMONWEALTH OF AUSTRALIA.

*The Australian Capital Territory  
Representation Act.*

*The Australian Capital Territory Electoral  
Regulations.*

Number Postal Vote Certificate and Postal Ballot-paper issued / /19 Initials of Returning Officer for Divi- sion or Territory of
-------------------------------------------------------------------------------------------------------------------------------------------------------

APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL  
BALLOT-PAPER BY AN ELECTOR ENROLLED FOR THE AUSTRALIAN  
CAPITAL TERRITORY.

To the Returning Officer for the Australian Capital Territory—\*

Surname.	Christian Names (in Full).	Place of Living Shown on Roll.	Occupation Shown on Roll.
I,			

hereby apply for a Postal Vote Certificate and Postal Ballot-paper to enable me to vote by post at the next forthcoming Election.

I declare—

- (1) That I am an elector enrolled on the Roll of Electors for the Australian Capital Territory.
- (2) That my real place of living is, or at some time within three months immediately preceding the polling day for the election to which this application relates was, in the Australian Capital Territory.
- (3) That the ground on which I apply to vote by post is—
  - (a) that I will not throughout the hours of polling on polling day be within the Australian Capital Territory or if I will be within that Territory I will not be within five miles by the nearest practicable route of any polling booth open in that Territory;
  - (b) that I will throughout the hours of polling on polling day be travelling under conditions which will preclude me from voting at any polling booth in the Territory;
  - (c) that I am seriously ill or infirm, and by reason of such illness or infirmity will be precluded from attending at any polling booth to vote;
  - (d) that I will, by approaching maternity, be precluded from attending at any polling booth to vote.

NOTE.—The elector will strike out any of the above grounds which do not apply to his or her particular case.

- (4) That my place of living at the time when the Postal Vote Certificate and Postal Ballot-paper would be delivered in the ordinary course of post will be as follows:—

An elector shall not make, and a person shall not induce an elector to make, any false statement in an application for a Postal Vote Certificate and Postal Ballot-paper, or in the declaration contained in such application.

Penalty: Fifty pounds, or imprisonment for one month.

FORM 15—*continued.*

Signed by the applicant in his own handwriting  
in my presence—

(Signature of witness)—

[in own handwriting.]

An elector whose name appears on the Roll for the Australian Capital Territory, for a State, or for the Northern Territory (or where the applicant is outside Australia, an Officer of the Naval, Military or Air Forces of the Commonwealth or other part of the King's Dominions or a person employed in the Public Service of the Commonwealth or of a Territory of the Commonwealth)

Signature of Applicant—  
(in own handwriting)

(Address of witness)—

Dated at the day of 19 .

\* If the application is being made to the Divisional Returning Officer for an Electoral Division of a State or to the Returning Officer for the Northern Territory, the application should be altered accordingly.

OBLIGATIONS OF ELECTOR (OR OTHER PERSON) WITNESSING AN APPLICATION FOR A POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER.

An elector (or other person) shall not witness the signature of any elector to an application for a Postal Vote Certificate and Postal Ballot-paper unless—

- (a) he has satisfied himself as to the identity of the applicant;
- (b) he has seen the applicant sign the application in his (the applicant's) own handwriting; and
- (c) he knows that the statements contained in the application are true, or has satisfied himself by inquiry from the applicant or otherwise that the statements contained in the application are true.

Penalty: Fifty pounds or imprisonment for one month.

The elector (or other person) witnessing the application shall sign his name in his own handwriting on the application in the space provided for the purpose, and shall add the date.

PENALTY FOR INDUCING ELECTOR TO APPLY FOR POSTAL VOTE.

A person shall not persuade or induce, or associate himself with a person in persuading or inducing, an elector to make application for a Postal Vote Certificate and Postal Ballot-paper.

Penalty: Fifty pounds, or imprisonment for one month.

PENALTY FOR FAILURE TO POST OR DELIVER APPLICATION FOR POSTAL VOTE CERTIFICATE AND POSTAL BALLOT-PAPER.

Any person to whom an application for a Postal Vote Certificate and Postal Ballot-paper is entrusted by a voter for the purpose of posting or delivery to a Returning Officer or Divisional Returning Officer and who fails to forthwith post or deliver the application shall be guilty of an offence.

Penalty: Fifty pounds, or imprisonment for one month.

## FORM 16.

Regulation 38 (1).

COMMONWEALTH OF AUSTRALIA.

AUSTRALIAN CAPITAL TERRITORY.

*The Australian Capital Territory Representation Act.**The Australian Capital Territory Electoral Regulations.*

## POSTAL VOTE CERTIFICATE.

I hereby certify that \_\_\_\_\_ of \_\_\_\_\_ is entitled (subject to the provisions of the Australian Capital Territory Electoral Regulations) to vote by post in respect of the Australian Capital Territory at the House of Representatives election to be held on Saturday, the \_\_\_\_\_.

Returning Officer for the Australian Capital Territory, or  
Divisional Returning Officer for the Division of \_\_\_\_\_, or  
Returning Officer for the Northern Territory.

Date—

FORM 16—continued.  
CERTIFICATE OF VOTER.

I, the person named in the above certificate, hereby certify that the signature of voter hereunder is my personal signature written by me with my own hand.

Signature of Voter—  
[in his or her own handwriting.]

NOTE.—Any person who makes the signature of any other person in this certificate is liable to a penalty of Fifty pounds.

CERTIFICATE OF AUTHORIZED WITNESS.\*

I hereby certify that the above certificate was signed by the voter in his or her own handwriting in my presence at [here insert address of place where signature is made and witnessed].

Signature of Authorized Witness [in his own handwriting]—  
An elector whose name appears on the Roll for the State or Territory of—  
Address of Witness— Date—

NOTE.—Any person who signs this certificate as witness without having seen the voter sign the above certificate is liable to a penalty of Fifty pounds.

\* Where vote is recorded outside Australia—see reference to authorized witnesses in the printed "Directions to Elector and Authorized Witness" issued by the Chief Electoral Officer.

NOTES.—(1) This envelope, containing the ballot-paper marked by the voter, should be forthwith posted or delivered to the Returning Officer for the Australian Capital Territory.

(2) Any person to whom this envelope, containing a ballot-paper, is entrusted by the voter for the purpose of posting or delivery to the Returning Officer, who fails to forthwith post or deliver the envelope, shall be guilty of an offence. Penalty: Fifty pounds or imprisonment for one month.

(3) No person other than the Returning Officer for the Territory or an officer acting under his directions shall open this envelope after the ballot-paper has been placed therein and the envelope fastened. Penalty: Fifty pounds.

FORM 17. Regulation 38 (2).

The elector must not mark his vote hereon until after he has first exhibited the ballot-paper (unmarked) to the Authorized Witness.

Postal Ballot-paper.

COMMONWEALTH OF AUSTRALIA.  
AUSTRALIAN CAPITAL TERRITORY.

ELECTION OF ONE MEMBER OF THE HOUSE OF REPRESENTATIVES.

DIRECTIONS.—Mark your vote on this ballot-paper by placing the numbers [here insert "1 and 2" where there are two candidates, "1, 2 and 3" where there are three candidates, "1, 2, 3 and 4" where there are four candidates, and so on, as the case requires] in the squares respectively opposite the names of the candidates so as to indicate the order of your preference for them; fold the ballot-paper, enclose it in the envelope addressed to the Returning Officer and fasten the envelope.

CANDIDATES.

- .....
- .....
- .....
- .....



FORM 18.  
Ballot-paper.

Regulation 44.

COMMONWEALTH OF AUSTRALIA.  
AUSTRALIAN CAPITAL TERRITORY.

ELECTION OF ONE MEMBER OF THE HOUSE OF REPRESENTATIVES.

DIRECTIONS.—Mark your vote on this ballot-paper by placing the numbers [here insert "1 and 2" where there are two candidates, "1, 2 and 3" where there are three candidates, "1, 2, 3 and 4" where there are four candidates, and so on, as the case requires] in the squares respectively opposite the names of the candidates so as to indicate the order of your preference for them.

CANDIDATES.

- .....
- .....
- .....
- .....

FORM 19.

Regulation 50.

COMMONWEALTH OF AUSTRALIA.  
AUSTRALIAN CAPITAL TERRITORY.

*The Australian Capital Territory Representation Act.*  
*The Australian Capital Territory Electoral Regulations.*

FORM OF DECLARATION TO BE USED AT THE POLLING BY A PERSON CLAIMING TO VOTE UNDER THE PROVISIONS OF REGULATION 50 OF THE AUSTRALIAN CAPITAL TERRITORY ELECTORAL REGULATIONS WHO DECLARES THAT HIS NAME HAS BEEN OMITTED FROM, OR STRUCK OUT OF, THE CERTIFIED LIST OF VOTERS FOR THE POLLING PLACE AT WHICH HE CLAIMS TO BE ENTITLED TO VOTE, OWING TO AN ERROR OF AN OFFICER, OR A MISTAKE OF FACT.

I, (a) ..... of (b) ..... declare:—  
(c) That I am entitled to be enrolled on the Roll of Electors for the Australian Capital Territory.

(a) Name in full.  
(b) Address in full.  
(c) Occupation.

That after becoming qualified for enrolment I sent or delivered to the Registrar for the Territory a duly completed claim for enrolment (or transfer of enrolment), and that my claim was received by the Registrar before 6 o'clock in the afternoon of the (d) ..... that is, before the issue of the writ for the election being held this day.

(d) Date of issue of Writ.

That from the time of sending or delivering my claim to the Registrar and up to the issue of the writ as aforesaid, I continuously retained my right to be enrolled for the Territory and did not become qualified for enrolment for a Subdivision of a State or for a District of the Northern Territory.

That to the best of my knowledge and belief my name has been struck out of, or omitted from, the Certified List of Voters for this polling place owing to an error of an officer or a mistake of fact, and not as a result of an objection on the ground of non-residence or other disqualification, or in consequence of the transfer or duplication of my enrolment.

(Personal signature of voter)

Signed before me the ..... day of ..... 19 ..  
at ..... polling place.

Presiding Officer.

NOTE.—A person making any untrue statement in this declaration is liable to a penalty of Twenty pounds.

## FORM 19—continued.

## DIRECTIONS.

1. This form of declaration must, after being filled up, be signed by the voter with his personal signature in the presence of the Presiding Officer and then be completed and attested by the Presiding Officer.
2. The Presiding Officer shall then (subject to the provisions of Regulation 47) initial and hand to the voter one ballot-paper for the election held on the date upon which the declaration is made.
3. The voter will then forthwith—(i) retire alone to an unoccupied compartment of the polling booth, and there, in private, mark his vote on the ballot-paper, in the manner directed thereon; (ii) fold the ballot-paper in such a manner as to conceal the vote marked thereon, and at once return it so folded, to the Presiding Officer before whom he made his declaration.
4. The Presiding Officer will see that he receives from the voter the ballot-paper duly folded, and, if necessary for purposes of identification, will request the voter to again state his name, and then, without unfolding the ballot-paper, will forthwith, in the presence of the voter and of such scrutineer or scrutineers (if any) as are present, enclose the ballot-paper in the envelope bearing the declaration of the voter and addressed to the Returning Officer, securely fasten the envelope, and deposit it in the ballot-box.

## FORM 20.

## Regulation 51.

## COMMONWEALTH OF AUSTRALIA.

*The Australian Capital Territory Representation Act.**The Australian Capital Territory Electoral Regulations.*

## FORM OF DECLARATION TO BE USED AT THE POLLING BY A PERSON CLAIMING TO VOTE UNDER THE PROVISIONS OF REGULATION 51 OF THE AUSTRALIAN CAPITAL TERRITORY ELECTORAL REGULATIONS.

I, (a)	of (b)	(a) Name in full (as appearing on Roll).
(c)	declare that:—	(b) Address in full (as appearing on Roll).
One of these paragraphs as the case requires should be struck out.	(1) My name appears on the certified list of voters used at the under-named polling place opposite the number _____ on the said list, and I claim to vote under the provisions of Regulation 51 of the Australian Capital Territory Electoral Regulations.	(c) Occupation (as appearing on Roll).
	(2) I have not voted in connexion with the election for the Territory being held this day, notwithstanding that a mark has been placed opposite my name on the said list to indicate that a ballot-paper has been issued to me at the polling;	or,
	(2) I have not received a postal vote certificate or a postal ballot-paper in connexion with the election for the Territory being held this day, notwithstanding that my name has been noted on the said list as that of an elector to whom a postal vote certificate and postal ballot-paper have been issued.	
	(Personal signature of voter)	
Signed before me the	day of	19 .
at	polling place.	

Presiding Officer.

NOTE.—A person making any untrue statement in this Declaration is liable to a penalty of Twenty pounds.

## DIRECTIONS.

- (1) This form of declaration must, after being filled up, be signed by the voter with his personal signature in the presence of the Presiding Officer, and then be completed and attested by the Presiding Officer.

## FORM 20—continued.

(2) The Presiding Officer shall then (subject to the provisions of Regulation 47) initial and hand to the voter one ballot-paper for the election held on the date upon which this declaration is made.

(3) The voter will then forthwith (i) retire alone to an unoccupied compartment of the polling booth and there, in private, mark his vote on the ballot-paper in the manner directed thereon; (ii) fold the ballot-paper in such a manner as to conceal the vote marked thereon, and at once return it so folded to the Presiding Officer before whom he made his declaration.

(4) The Presiding Officer will see that he receives from the voter the ballot-paper duly folded, and, if necessary for purposes of identification, will request the voter to again state his name, and then, without unfolding the ballot-paper, will forthwith, in the presence of the voter and of such scrutineer or scrutineers (if any) as are present, enclose the ballot-paper in the envelope bearing the declaration of the voter and addressed to the Returning Officer, securely fasten the envelope, and deposit it in the ballot-box.

## FORM 21.

Regulation 53 (1).

## COMMONWEALTH OF AUSTRALIA.

*The Australian Capital Territory Representation Act.**The Australian Capital Territory Electoral Regulations.*

LIST OF THE NAMES AND DESCRIPTIONS OF THE ELECTORS  
ENROLLED FOR THE AUSTRALIAN CAPITAL TERRITORY WHO DID  
NOT VOTE AT THE ELECTION HELD ON THE  
DAY OF , 19 .

I, , of , Returning Officer for the Australian Capital Territory, do solemnly and sincerely declare that the names on the within print of the roll for the Australian Capital Territory against which a mark indicating the electors who voted at the election has not been placed, constitute the list of the names and descriptions of the electors enrolled for the said Territory who did not vote at the election, held on the , and that the said list was prepared by me pursuant to sub-section (2.) of section 128A of the Commonwealth Electoral Act as modified by the Australian Capital Territory Electoral Regulations.

And I make this solemn declaration by virtue of the *Statutory Declarations Act 1911-1944*, conscientiously believing the statements contained therein to be true in every particular.

Declared at the day of , 19 .  
Returning Officer for the Australian Capital Territory.

Before me—

, J.P.

## FORM 22.

Regulation 53 (2).

[Front of Form.]

## COMMONWEALTH OF AUSTRALIA.

*The Australian Capital Territory Representation Act.**The Australian Capital Territory Electoral Regulations.*

## AUSTRALIAN CAPITAL TERRITORY.

## No. on roll .

## NOTIFICATION TO ELECTOR WHO APPEARS TO HAVE FAILED TO VOTE.

To the elector whose name and address appear on the back hereof.

You are notified that you appear to have failed to vote at the election held under the Australian Capital Territory Representation Act on the , the , and you are hereby called upon, in pursuance of section 128A of the Commonwealth Electoral Act as modified by the Australian Capital Territory Electoral Regulations, to give a valid, truthful and sufficient reason why you have failed so to vote.

You are required to—

(a) state, in the form at the foot of this notice, the true reason why you failed so to vote;

FORM 22—continued.

- (b) complete and personally sign the form, and have it witnessed by an elector or a person qualified to be an elector;
- (c) fold the form so that the address "Returning Officer for the Australian Capital Territory," shall be visible, and post it so as to reach me on or before the\*

Returning Officer for the Australian Capital Territory.

(Address)

Date , 19 .

NOTE.—If the elector to whom this notice is addressed is unable, by reason of absence from his place of living or physical incapacity, to fill up, sign, and post the form at the foot hereof within the time specified in the form, any other elector who has personal knowledge of the facts may fill up, sign, and post the form, duly witnessed, within that time, and the filling up, signing, and posting of the form will be treated as compliance by the first-mentioned elector with the requirements of this notice.

\* Not being less than twenty-one days after the posting of this notice.

FORM 23.

Regulation 53 (3).

FORM OF DECLARATION TO BE COMPLETED AND RETURNED TO THE RETURNING OFFICER.

I, , do hereby declare that the following is the true reason why I\* failed to vote at the election held under the Australian Capital Territory Representation Act, on , the day of , 19 .

†

(Personal signature of elector)

I, the undersigned, being an elector or a person qualified to be an elector of the Commonwealth or of the Territory, certify that I have seen the above-named elector sign the above declaration.

(Signature of witness (in own handwriting))  
(Occupation)  
(Address)

Date , 19 .

\* Where this form is filled up on behalf of an absent or physically incapacitated elector, the word "I" must be struck out, and the name of such elector inserted.  
† Here set out the precise and true reason for having failed to vote.

[Back of Form.]

Post Free.

Commonwealth Electoral Paper only.

M .....

Every elector who—

- (a) fails to vote at an election without a valid and sufficient reason for such failure; or
- (b) on receipt of a notice in accordance with sub-section (4.) of section 128A of the Commonwealth Electoral Act, as modified by the Australian Capital Territory Electoral Regulations, fails to fill up, sign, and post, within the time specified in the notice, the form (duly witnessed) attached thereto; or
- (c) states in such form a false reason for not having voted or, in the case of an elector filling up or purporting to fill up a form on behalf of any other elector, states in such form a false reason why that other elector did not vote,

is guilty of an offence and liable to a fine of not less than Ten shillings and not more than Two pounds.

From—The Returning Officer for the Australian Capital Territory.

Commonwealth Electoral Paper only,

The Returning Officer

for the Australian Capital Territory, Canberra.

Post Free.

## FORM 24.

Regulation 53 (4).

## COMMONWEALTH OF AUSTRALIA.

*The Australian Capital Territory Representation Act.**The Australian Capital Territory Electoral Regulations.*

## AUSTRALIAN CAPITAL TERRITORY.

No. on roll

NOTIFICATION TO ELECTOR WHOSE REASON FOR FAILING TO VOTE  
IS HELD NOT TO BE VALID AND SUFFICIENT.

To—

You are hereby notified—

- (1) that the reason given by you in your declaration dated the 19 , is not, in my opinion, a valid and sufficient reason for your failure to vote at the election held under the provisions of the Australian Capital Territory Representation Act, on the ; and
- (2) that you have the option of having the matter dealt with by the Chief Electoral Officer (thus avoiding costs of Court), or by a Court of summary jurisdiction.

If you desire to have the matter dealt with by the Chief Electoral Officer, you must fill in and sign, in the presence of a witness, the form of consent at the foot hereof, and send or deliver it to me, so as to reach me not later than the , together with the sum of Ten shillings\* to be appropriated in payment or part payment of the fine, if any, which the Chief Electoral Officer may impose upon you.

In the event of the form and deposit not reaching me on or before the date set out in the preceding paragraph, it will be taken that you desire to have the matter dealt with by a Court of summary jurisdiction.

Returning Officer for the Australian Capital Territory.

(Address)

Date , 19 .

\* This amount may be paid to the Returning Officer in cash, or be remitted to him by postal note or money order made payable to "The Collector of Public Money".

## FORM 25.

Regulation 53 (5).

FORM OF CONSENT TO BE USED BY AN ELECTOR WHO DESIRES TO  
HAVE HIS CASE DEALT WITH BY THE CHIEF ELECTORAL OFFICER.

To the Returning Officer for the Australian Capital Territory.

I, , of , enrolled as an elector on the roll for the Australian Capital Territory, having failed to vote at the election held under the provisions of the Australian Capital Territory Representation Act, on the day of , 19 , and having been notified by you that the reason given by me for such failure to vote is not, in your opinion, a valid and sufficient reason for such failure, do hereby notify you that I consent to have the matter dealt with by the Chief Electoral Officer, and to abide by his decision.

I enclose herewith the sum of Ten shillings, and I agree that the said sum may be appropriated in payment or part payment of any fine (not exceeding Two pounds, without costs) which the Chief Electoral Officer may impose upon me.

(Personal signature of elector)

I, the undersigned, being an elector, or a person qualified to be an elector, of the Commonwealth or of the Territory, certify that I have seen the above-named elector sign the above form.

(Signature of witness (in own handwriting))

(Occupation)

(Address)

Date , 19 .

## FORM 26.

Regulation 65.

## COMMONWEALTH OF AUSTRALIA.

*The Australian Capital Territory Representation Act.**The Australian Capital Territory Electoral Regulations.*

## UNDERTAKING TO BE MADE BY OFFICERS AND SCRUTINEERS.

I [*here insert name, address, and occupation*] do hereby promise and undertake that I will faithfully perform the duties of [*here insert name of office held by the person signing undertaking*] to the best of my understanding and ability, and that I will not directly or indirectly attempt to influence the vote of any elector, or, except by recording my vote as allowed by law, the result of any election, and that I will not disclose any knowledge officially acquired by me touching the vote of any elector, except in reply to a question which I am legally bound to answer.

Signature.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_ .

Witness to signature—

## FORM 27.

Regulation 67.

## COMMONWEALTH OF AUSTRALIA.

## AUSTRALIAN CAPITAL TERRITORY.

*The Australian Capital Territory Representation Act.**The Australian Capital Territory Electoral Regulations.*

## FORM OF WITHDRAWAL BY CANDIDATE OF CONSENT TO NOMINATION.

To the Returning Officer for the Australian Capital Territory:

I [*here insert Christian names, surname, place of residence, and occupation*] do hereby withdraw my consent to nomination as a Member of the House of Representatives for the Australian Capital Territory, dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_ .

(Personal signature of candidate)

Dated at [*here insert place*] the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_ .

Witness—

NOTE.—To be signed in the presence of the Officer with whom the nomination was lodged or of a Justice of the Peace.

## THE SECOND SCHEDULE.

Modifications of the *Commonwealth Electoral Act 1918-1949* in its application in the Territory:—

Section of Act.	Extent of Modification.
5	Omit from definition of "Candidate" the words "of the Senate or"; Omit definition of "Division"; Omit definition of "Sub-division";
59	Omit from sub-section (1.) the words "of Senators or"; Omit from that sub-section the word and letter "Form A"; Omit from that sub-section the word "respectively";
67	Omit paragraph (a);
68	Omit the words "as a Senator or";
70	Omit the words "as a Senator";
72	Omit the words "of Senators may be made to the Commonwealth Electoral Officer for the State for which the election is to be held, and nominations";

THE SECOND SCHEDULE—*continued.*

Section of Act.	Extent of Modification.
73	Omit from paragraph (a) the words " as a Senator or " ; Omit from that paragraph the words " as the case may be " ;
76	Omit the words " at a Senate election or " ; Omit paragraph (a) ;
80	Omit the words " with the Commonwealth Electoral Officer for the State in the case of a Senate election, or " ;
88	Omit from sub-section (1.) the words " and one postal ballot-paper for a Senate election, " ; Omit from that sub-section the words " , or either as the case requires " ;
133	Omit paragraph (b) ;
145	Omit paragraph (a) ;
164	Omit the words " of a Member of the Senate, or of the House of Represen- tatives, or for the taking of any referendum vote, " (wherever occurring) ;
164A	Omit the words " of a Member of the Senate, or of the House of Represen- tatives, or for the taking of any referendum vote, " ;
164B	Omit " or referendum " ;
181A	Omit sub-paragraph (i) of paragraph (b) of sub section (1.) ;
185	Omit from paragraphs (c) and (d) all the words from and including the words " , or, in the case of a choice " to the end of those paragraphs ;
203	Omit the words " of a Senator or " ;
204	Omit the words " the President if the question arises in the Senate, or " ;
206	Omit the words " a Senator or " from paragraphs (a) and (b) ; Omit the words " in the Senate " from paragraph (c).

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.